A CARTOONIST'S SUMMARY OF

MASS INCARCERATION IN THE U.S.A.

BY JENA RITCHIE (JAN. 2015)
"American prisons are dangerously overcrowded, unnecessarily violent, excessively reliant on physical segregation, breeding grounds of infectious disease, lacking in meaningful programs for inmates, and staffed by underpaid and undertrained guards in a culture that promotes abuse."

- 2006 FORD FOUNDATION REPORT "CONFRONTING CONFINEMENT"
President Reagan began the U.S.'s "War on Drugs" in 1982. He declared "War" when national drug use was decreasing. Despite this fact, huge amounts of federal grant money was given to police departments that pledged to prioritize punishing drug crime.

Consequently, "the number of annual drug arrests more than tripled between 1980 and 2005" and the number of people imprisoned increased from "300,000 to more than 2 million".

While more than 2 million people are in prison, more than 7 million are under some form of correctional control.

To put this "War" even further into perspective: there are 100,000 alcohol-related deaths per year - 22,000 solely due to drunk driving - while "the total of all drug-related deaths due to AIDS, drug overdose, or violence associated with illegal drug trade, was estimated at 21,000 annually".
The beginning of "the war on drugs" coincided with economic depression in poor, urban communities due to globalization and deindustrialization.

Economic depression coupled with widespread, conscious and subconscious association of black men (in particular as well as people of color more generally) with crime meant that poor communities of color were extremely vulnerable to and opportune for the government crackdown on drugs.

Countless studies demonstrate the prevalence of racial bias.

One study in 2000 showed people a news report about a recent crime. Although the report revealed neither a picture nor the name of the perpetrator, 60 percent of viewers believed they had seen a photo and 70 percent believed that the alleged criminal was black.

Today, African Americans make up 13% of the U.S. population, but black men comprise 40% of the prison population.
"People of all races use and sell illegal drugs at remarkably similar rates."\textsuperscript{12}

In fact, if anything, young white people tend to use and sell drugs more frequently, yet 3/4ths of the people imprisoned on drug charges are Black and Latino.\textsuperscript{13}

According to Human Rights Watch in 2000, in 7 states African Americans made up 80 to 90 percent of people sent to prison for drug crimes.\textsuperscript{14}

Currently, more than half of people in state prison are there for non-violent crimes.\textsuperscript{15}

(Additionally, because violent criminals generally serve longer sentences they actually make up an even smaller percentage of the penal population than it appears.\textsuperscript{16})

"As of September 2009, only 7.9\% of federal prisoners were convicted of violent crimes."\textsuperscript{14}
Racial bias plus essentially no limitations on police activity has led to rampant racial profiling in "consent searches" and "pretext stops."

"Operation Pipeline" was started in 1984 by the DEA and trained police officers to use these tactics to search people for drugs. "It has been estimated that 95% of pipeline stops yield no illegal drugs."

Besides the fact that these programs are ineffective, they have also been shown to be discriminatory.

For example, on the New Jersey Turnpike 15% of all drivers were people of color, but "42% of all stops and 73% of all arrests were of black motorists despite the fact that blacks and whites violate traffic laws at almost exactly the same rate."

These practices have been protected by the Supreme Court when people have made claims that such activity violates the 4th Amendment's protection against unreasonable search & seizure.

"97% of federal convictions and 94% of state convictions are the result of guilty pleas."

Plea bargains enable prosecutors to settle cases outside of court by offering defendants a supposedly lesser punishment if they agree to plead guilty. However, many prosecutors admit to telling defendants that they plan to bring charges against the defendants, harsher than the prosecutor believes they could actually win, or convincing a defendant to take a plea bargain when they don't intend to take the case to court.
Once in prison, inmates lose most constitutional protections. 70,000 people report being raped in prison each year; however, the Supreme Court has been clear that they require "more than ordinary lack of due care for the prisoner's interest or safety" on the part of guards before the Supreme Court will find the guards at fault.

This means that in Farmer v. Brennan (1994) the rape and assault of a transgender woman was not blamed on guards who had neglected to provide safeguards for an inmate in a vulnerable demographic.

"The Constitution 'does not mandate comfortable prisons'" - Justice David Souter (Farmer v. Brennan)

"The law has to assume 'a sentence of imprisonment appropriately requires that an inmate endure many hardships'" - Wilson v. Wright (1998)

The hardship the Justice was responding to was the placement, by a correctional officer, of a new inmate in the same cell as a convicted rapist and child molester. This placement resulted in the rape of the new inmate.

The court dismissed the case Delee v. White (2011) because there was no evidence that there was a "pattern of regular beatings" of this prisoner by the guards accused of beating and sexually torturing an inmate.
In the United States, more than 50,000 people are locked up in long-term solitary confinement.  

"Detailed studies show that solitary confinement leads very quickly to psychological deterioration and toward aggressive rebellion as the main resource in sustaining an isolated person's dissolving identity."

This practice is considered torture by international law.
Once released from prison, a person remains a "felon" for the rest of their life. If you have a felony record you can be denied public housing, certain jobs, food stamps, a driver's license, educational opportunities and the right to vote and sit on a jury.\(^3\)

The legal system has placed people with a felony record in quite the bind since "40 of the 50 jurisdictions (the 50 states and the District of Columbia) required parolees to maintain gainful employment", yet "nearly every state allows private employers to discriminate on the basis of past criminal convictions."\(^3\)

Considering all of these barriers it is not surprising that the US. has a recidivism rate of 67.5\%.\(^9\)
IN THE U.S., FEDERAL, STATE AND LOCAL CORRECTIONAL EXPENDITURES TOTAL OVER $80 BILLION PER YEAR. ⁴¹

Each year, state prisons spend an average of $31,286 per inmate. ⁴²

Private prisons have gained popularity because they provide a way for states to conceal overcrowding and huge budget expenditures while ostensibly operating more efficiently. ⁴³

The private prison industry has continued to grow so that now 7% of U.S. prisoners are in private prisons that cost the government $2 billion per year. ⁴⁴

If prisons are profit driven, it becomes economically advantageous to keep the maximum number of inmates in the least space, with the least amount of extra programming for the longest time.
"This is the crime of which I accuse my country and my Countrymen, and for which neither I nor time nor history will ever forgive them, that they have destroyed and are destroying hundreds of thousands of lives and do not know it and do not want to know it...

It is their innocence which constitutes the crime."

— James Baldwin